

SOUTHERN**DISTRICT OF
MCALLEN DIVISION****TEXAS****UNITED STATES OF AMERICA****V.****Mauricio Magallenes Jr.**YOB: **1992**
USC*Principal***United States District Court
Southern District of Texas
FILED****CRIMINAL COMPLAINT****Case Number:
M-16- -M****FEB 22 2016****327**

(Name and Address of Defendant)

Clerk of Court

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about **February 20, 2016** in **Starr** County, in the **Southern** District of **Texas** defendants(s) did,

(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Edwin Eduardo Lopez-Trejo, citizens and nationals of Honduras, along with one (1) other undocumented aliens, for a total of two (2) who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport, by foot, said aliens in furtherance of such violation of law within the United States, that is, from a location near Rio Grande City, Texas to the point of arrest near Rio Grande City, Texas,

in violation of Title **8** United States Code, Section(s) **1324(a)(1)(A)(ii)** **FELONY**
 I further state that I am a(n) **U.S. Senior Border Patrol Agent** and that this complaint is based on the following facts:

On February 20, 2016 at approximately, while conducting linewatch duties near Rio Grande City, Texas, Texas Parks and Wildlife Game Warden M. Strauss (GW), and Border Patrol Agent (BPA) C. Vicini responded to a camera activation along the Rio Grande River southwest of Rio Grande City, Texas. Upon arriving to the location of the camera activation, GW Strauss and Agent Vicini observed foot sign of several people traveling north and tracked the foot sign for a short distance before observing several subjects hiding in the brush. After a short foot pursuit, agents were able to apprehend three subjects.

SEE ATTACHED:

Continued on the attached sheet and made a part of this complaint:

 Yes No

Signature of Complainant

*Approved by
M. Strauss*

Sworn to before me and subscribed in my presence,

February 22, 2016

Date

Eric Sturgeon **Senior Patrol Agent**

Printed Name of Complainant

at **McAllen, Texas**

City and State

Dorina Ramos

Signature of Judicial Officer

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

327
M-16- -M

RE: Mauricio Magallenes Jr.

206 794 628

CONTINUATION:

All subjects were briefly interviewed to determine citizenship, R.E.R.A, an unaccompanied juvenile, and Edwin Eduardo LOPEZ-TREJO freely admitted to being in the United States illegally and without proper documentation. Mauricio MAGALLANES Jr. claimed he was a United States citizen and was only walking through the area. All subjects were transported to the Rio Grande City Border Patrol Station for interview and processing.

PRINCIPAL STATEMENT:

Mauricio Magallanes Jr. was advised of his Miranda Rights, stated he understood his rights and was not willing to provide a sworn statement without the presence of an attorney.

NOTE:

Mauricio MAGALLANES was named as the principal in three prior smuggling cases:

9/06/2013: 2 on 2 Administrative Alien Smuggling Case.

9/29/2013: 2 on 2 Criminal Alien Smuggling Case

6/17/2014: 1 on 4 Criminal Alien Smuggling Case which the defendant was sentenced to twenty-one (21) months confinement and two (2) years SRT.

MATERIAL WITNESS STATEMENT:

Edwin Eduardo LOPEZ-Trejo was advised of his Miranda Rights, signed stating that he understood his rights and was willing to provide a sworn statement without the presence of an attorney.

Edwin Eduardo LOPEZ-Trejo, a citizen and national of Honduras, stated he paid \$1,750 in Mexico to be smuggled across the Rio Grande River. While in a stash house in Mexico, Lopez was told by his smuggler, Luis, his foot guide was still in jail and had to wait for about 30 days before crossing illegally into the United States. After about 30 days, Luis returned with the foot guide, who Lopez was able to identify as Mauricio MAGALLANES Jr. through a photo lineup. Once at the river, the guide told the group not to speak if arrested because he, MAGALLENES, was still on probation. The foot guide instructed the group he was to walk in front of the group and if encountered by immigration, he was going to throw his arms up in the air and that was the sign to run. MAGALLENES claimed to LOPEZ that his phone did not have signal and he need to borrow LOPEZ's phone. Moments later, he heard immigration and the foot guide said not to worry, just hide. Once immigration arrived, the guide told him to run but after several yards he stopped and surrendered.